

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

ZEARNEST WILLIAMS

PLAINTIFF

V.

CIVIL ACTION NO. 3:12CV311 DPJ-FKB

MICHAEL J. ASTRUE, COMMISSIONER
OF SOCIAL SECURITY

DEFENDANT

ORDER

Zearnest Williams brought this action to obtain judicial review of a final decision of the Commissioner of the Social Security Administration. Specifically, the Administrative Law Judge found that Williams does not suffer from a severe mental impairment stemming from a traumatic 2004 auto accident. On July 29, 2013, Magistrate Judge F. Keith Ball entered a Report and Recommendation, concluding that the ALJ's finding cannot be reconciled with the medical record, which reveals a consistent history of significant mental illness. R&R [13] at 6–7. Judge Ball recommended that Defendant's motion to affirm the decision be denied and the matter be remanded to the Commissioner "for consideration of Williams' claim through the remainder of the sequential process." *Id.* at 7. Defendant did not file an Objection, and the time to do so has now passed.

Accordingly, the Court finds that the unopposed Report and Recommendation [13] should be adopted as the opinion of the Court. This matter is remanded to the Commissioner of the Social Security Administration.

A separate judgment will be entered.

SO ORDERED AND ADJUDGED this the 16th day of August, 2013.

s/ Daniel P. Jordan III
UNITED STATES DISTRICT JUDGE